

not fanciful. In sum, he has introduced absolutely no evidence that his son intended the beneficiary designation to mean anyone other than Lisa Basto.

While an individual's intent ordinarily is a question of fact that is not appropriately decided at summary judgment, summary disposition is proper when no genuine issue exists regarding that intent. *See Continental Ins. Co. v. Adams*, 438 F.3d 538, 540 (6th Cir. 2006); *Gencorp, Inc. v. American Int'l Underwriters*, 178 F.3d 804, 819 (6th Cir. 1999). In the absence of adequate testimonial support for Defendant's sole argument about David Raymond's intent, Plaintiff is entitled to judgment as a matter of law. *See Anderson*, 477 U.S. at 251-52; *Gencorp.*, 178 F.3d at 819.

IV.

For the foregoing reasons, the Court grants Plaintiff's motion for summary judgment and denies Defendant Raymond's cross motion for summary judgment. A judgment consistent with this opinion shall be entered.

Date: March 24, 2006

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
CHIEF UNITED STATES DISTRICT JUDGE